

Renée Welze Livingston (SBN 124280)
 Jason G. Gong (SBN 181298)
 LIVINGSTON LAW FIRM
 A Professional Corporation
 1600 South Main Street, Suite 280
 Walnut Creek, CA 94596
 Tel: (925) 952-9880
 Fax: (925) 952-9881
rlivingston@livingstonlawyers.com
jgong@livingstonlawyers.com

Kathryn R. Norcross, Senior Counsel
 Anne M. Devens, Counsel
 Federal Deposit Insurance Corporation
 Legal Division
 3501 Fairfax Drive, VS-D-7062
 Arlington, VA 22226
 Tel: (703) 562-2204

Attorneys for Defendant
 FEDERAL DEPOSIT INSURANCE CORPORATION
 as Receiver for INDYMAC BANK, F.S.B.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

EDWARD RAASS AND EVELINI
 RAASS,

Plaintiffs,

vs.

BANK OF AMERICA, NATIONAL
 ASSOCIATION, a United States
 Corporation; COUNTRYWIDE, a
 California Corporation; INDYMAC BANK,
 a California Corporation; MORTGAGE
 ELECTRONIC REGISTRATION
 SYSTEMS, INC., a California Corporation;
 QUALITY LOAN SERVICE
 CORPORATION; and DOES 1 through 10,
 inclusive,

Defendants.

Case No. 3:10-cv-00187-MMC

**STIPULATION AND ~~PROPOSED~~
 ORDER FOR DISMISSAL OF FEDERAL
 DEPOSIT INSURANCE CORPORATION
 AS RECEIVER FOR INDYMAC BANK,
 F.S.B.**

Complaint Filed: 09/21/09
 Trial Date: None

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and by reason of the parties
 meeting and conferring on the terms below, plaintiffs EDWARD RAASS and EVELINI RAASS

1 and defendant THE FEDERAL DEPOSIT INSURANCE CORPORATION as Receiver for
2 INDYMAC BANK, F.S.B. ("FDIC-Receiver"), by and through their respective counsel of
3 record, hereby stipulate that the FDIC-Receiver is dismissed with prejudice from the above-
4 captioned action.

5 Each side will bear their own fees and costs incurred in this action.

6 **IT IS SO STIPULATED**

7 Dated: June 4, 2010

LAW OFFICES OF MICHAEL MOGHTADER

8
9 By: /s/ Michael Moghtader
10 Michael Moghtader
11 Attorney for Plaintiffs EDWARD RAASS
12 And EVELINI RAASS

13 Dated: June 4, 2010

LIVINGSTON LAW FIRM

14
15 By: /s/ Jason G. Gong
16 Jason G. Gong
17 Attorneys for defendant FEDERAL
18 DEPOSIT INSURANCE CORPORATION
19 as Receiver for INDYMAC BANK, F.S.B.

20 **~~PROPOSED~~ ORDER**

21 Having reviewed the parties' stipulation and good cause appearing, the Court orders that
22 the FDIC-Receiver is hereby dismissed with prejudice from this action. The parties will bear
23 their own attorney's fees and costs incurred in this action.

24 **IT IS SO ORDERED.**

Further, the June 18, 2010 hearing on the FDIC's motion to
dismiss is VACATED.

25 Dated: June 7, 2010

26 Maxine M. Chesney
27 HONORABLE MAXINE M. CHESNEY
28 UNITED STATES DISTRICT JUDGE